



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

SANTU BANDYOPADHYAY ET AL

Application No.: **10/613,122**

Filed: July 7, 2003

For: **A SYNERGISTIC COMPOSITION FOR**
TREATING LEUKEMIA

)
: Examiner: Layla Soroush
)
: Group Art Unit: 1617
) Attorney Docket: 02506.00P600.1
:
)
:
) January 3, 2007
:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**SECOND TERMINAL DISCLAIMER OVER COPENDING U.S. PATENT
APPLICATION NUMBER 11/222,815**

Sir:

Please charge the statutory fee of \$130.00 under fee code 1814 for payment of the statutory disclaimer and any additional fee required, or credit any overpayment, to Deposit Account No. 06-1205.

Your petitioner, COUNCIL OF SCIENTIFIC AND INDUSTRIAL RESEARCH, an Indian registered body incorporated under the Registration Societies Act (Act XXI of 1860), having a place of business at Rafi Marg., New Delhi, 110001, India, is the assignee of the full title and interest in and to the above-identified application, as evidenced by an Assignment

dated May 22, 2004 that was recorded on October 30, 2003, at Reel/Frame 014643/0918. Your petitioner hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term of pending Application No. 11/222,815, as presently shortened by any terminal disclaimer, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to pending Application No. 11/222,815, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of any U.S. Patent that issues upon Application No. 11/222,815, as presently shortened by any terminal disclaimer, expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, and is the subject of any disclaimer under 37 C.F.R. 1.321(a), has all claims cancelled by a reexamination certificate or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned, Warren E. Olsen, is attorney of record and specifically has been empowered to act on behalf of the petitioner.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the

United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,



Warren E. Olsen (Reg. No. 27,290)

FITZPATRICK, CELLA, HARPER & SCINTO
Customer No.: 05514
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200